

CALL OF SPECIAL MEETING

I, being the Mayor of the City of Frankfort, Kentucky, do hereby call a Special Meeting of the Board of Commissioners Thursday, November 6, 2003, at 5:00 p.m. in the Municipal Building Council Chamber. This meeting is being held in lieu of the regularly scheduled November 17 meeting and all items on the agenda will be considered and action taken as deemed necessary.

S/William I. May, Jr.
T/Mayor

SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

NOVEMBER 6, 2003
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers
Commissioner Tracey Turner Thurman
Commissioner Andrew S. Layson
Commissioner Robert Roach
Mayor William I. May, Jr. (5)
ABSENT: None (0)

Invocation by Fire Department Chaplain Greg Moore.

It was moved by Commissioner Thurman, seconded by Commissioner Roach, that the reading of the minutes of October 20, 2003 Regular Meeting, October 22, 2003 Special Meeting, October 24, 2003 Special Meeting and November 3, 2003 Work Session be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor's Report

Mayor May congratulated the winners of the November, 2003 General Election.

Bid Award for Hauling In and Storing of Vehicles Impounded by the City was removed from the agenda (Consent item 6.1).

Ordinances

"AN ORDINANCE AMENDING FRANKFORT MUNICIPAL CODE CHAPTER 15.24, ORDINANCE NO. 14, 1999 SERIES, ORDINANCE NO. 24, 2001 SERIES, AND ORDINANCE NO. 19, 2003 SERIES, PROPERTY MAINTENANCE CODE" was presented and read. This ordinance had its first reading October 20, 2003. It was moved by Commissioner Roach, seconded by Commissioner Thurman, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 24, 2003 Series)

Following discussion, "An Ordinance Establishing a Lateral Maintenance Fee for Sewer Services" was removed from agenda.

"AN ORDINANCE AUTHORIZING THE ISSUANCE OF ADJUSTABLE RATE INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2003 (KENTUCKY DOMESTIC VIOLENCE ASSOCIATION, INC. PROJECT) OF THE CITY OF FRANKFORT, KENTUCKY, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$600,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO KENTUCKY DOMESTIC VIOLENCE ASSOCIATION, INC. TO FINANCE THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF AN INDUSTRIAL BUILDING TO BE LOCATED WITHIN THE CITY OF FRANKFORT, KENTUCKY FOR USE AS HEALTH CARE AND RELATED FACILITIES BY THE KENTUCKY DOMESTIC VIOLENCE ASSOCIATION, INC.; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT, TAX

REGULATORY AGREEMENT, MORTGAGE AND ASSIGNMENTS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS" was presented and read.

Orders

"AN ORDER ADOPTING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF FRANKFORT AND FRANKLIN COUNTY FISCAL COURT RELATING TO CO-PERMITTING UNDER THE CLEAN WATER ACT AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM, STORMWATER PHASE II PROGRAM" was presented. It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 13, 2003 Series)

Consent Calendar:

The following miscellaneous and personnel items were presented:

- 6.2 Bid award for one 2004 Ford F-150 Supercab 4-Wheel Drive Truck to Countryside Motors, to be purchased under Kentucky State Price Contract # C-01012418, in the amount of \$20,275, with funding from equipment account 300.68.56550 (Sewer Department);
- 6.3 Award contract to Leak Eliminators, LLC, which submitted the lowest price proposal, for Sewer Line Replacement at Boone National Guard Center, in the amount of \$23,196, with Boone National Guard Center contributing \$10,000 to the cost of the project and City funding in amount of \$13,196 from sewer account 300.68.56550 (Sewer Department);
- 6.4 Authorize contract extension with Linebach Funkhouser, Inc., to provide health and safety training to personnel in Sewer Department and personnel from other City departments, at an annual cost not to exceed \$25,000, with funding from training account 200.68.55461 (Sewer Department);
- 6.5 Authorization to extend sanitary sewer system to make service available to Montaplast of North America, Inc. and authorize Mayor to execute contract between the City of Frankfort and Montaplast of North America, Inc.; with Montaplast to be responsible for ownership, operation and maintenance of the sewer line extension (Sewer Department);
- 6.6 Authorization for filing FEMA Grant Application for 2003-2004 Fire Prevention & Safety Grant to be used for training and public education, with funding up to \$7,000 from City as 10% match from Fire account 100.42.55440 (Fire Department);
- 6.7 Authorization to enter into agreement with Kentucky Baptist Convention for Kentucky Changers Project, for making minor improvements to approximately ten (10) low to moderately low single-family homes (non-rental) within the City limits, with labor provided by volunteers from Kentucky Baptist Convention and City to provide materials and supplies in an amount up to \$15,000, with funding from Frankfort Housing Corporation Account 540.00.51100 (Old Urban Renewal Program), project to be conducted from July 3, 2004 to July 10, 2004 (Planning and Building Codes);
- 6.8 Authorization to enter a Continuing Services Agreement with HMB Professional Engineers, Inc., for major development and drainage plan review at a not to exceed fee of \$8,000 with funding from Capital Improvement Account 100.90.53295 (Public Works Department);
- 6.9 Personnel
 - Appointment of John F. Crum, III to position of Firefighter effective December 2, 2003 (Fire Department);
 - Appointment of William B. Hornbeck to position of Equipment Operator effective November 12, 2003 (Public Works Department);
 - Appointment of Robert L. Peterson to position of Staff Engineer effective November 12, 2003 (Sewer Department);
 - Accept retirement of Deborah Watson as Office Assistant effective October 31, 2003 (Police Department);
 - Accept resignation of Stanley Gay, Code Enforcement Inspector, effective November 6, 2003 (Planning and Building Codes);
 - Extend probationary period for an additional six months for James W. Ebert, Patrol Officer, from November 12, 2003 to May 12, 2004, Officer Ebert having been called to active duty by Marine Reserves effective January 14, 2003 and returning on October 7, 2003 (266 days) (Police Department);

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Board Appointments

Upon recommendation of Mayor May, it was moved by Commissioner Roach, seconded by Commissioner Bowers, that Douglas C. Howard be appointed to the Board of Adjustment for a term to expire July 1, 2004, replacing Dwayne Cook who resigned. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Roach and Mayor May (4). Voting against the motion was Commissioner Layson (1). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioner Layson, that James "Pete" Wise and Burt Stevenson be appointed to the Holmes Street Task Force. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Old Business

It was moved by Commissioner Roach, seconded by Commissioner Thurman, that the Continuing Engineering Services Agreement with Quest Engineers for providing professional engineering services associated with sanitary sewer system evaluations be increased in the amount of \$200,000, increasing total contract amount to \$926,900, to evaluate manholes in Sanitary Sewer Basin 4 and collect GPS data for inclusion into the GIS database, with funding from Sewer Account 300.68.56550. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Sewer Department)

It was moved by Commissioner Roach, seconded by Commissioner Layson, to authorize a Contract Extension with FMSM Engineers (Fuller, Mossbarger, Scott & May) to provide permitting services, preliminary design, and geotechnical exploration associated with the Ewing Street Force Main Break in Benson Creek, at a not-to-exceed cost of \$40,244, with funding from Sewer account 200.68.53265. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Sewer Department)

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that an Architectural Services Contract with Architects Design Group be entered, to provide architectural services for Police, 911, EOC and Fire Safety Building or Buildings, at a not-to-exceed fee of \$22,000, with funding from Reserve for Contingency 95.53295. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. Commissioner Thurman requested the YMCA be addressed as a potential location for the building(s).

Citizen Comments

Anne Gibbs suggested percentage rate based on sewer fee as opposed to flat rate (\$4 month) and public hearing be held reference ordinance establishing a lateral maintenance fee for sewer services.

Commissioner Comments

Commissioner Bowers asked citizens to participate in Kiwanis' annual food drive during upcoming weekend and Candlelight Tour on November 13.

Commissioners Thurman and Layson welcomed Governor-elect Ernie Fletcher and wife, and Lieutenant Governor-elect Steve Pence and wife to community.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the Board meet in closed session in accordance with KRS 61.810 (1), (f), to discuss personnel. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

MAYOR

ATTEST:

CITY CLERK